

DECLE2.001APC



B
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Goethals, et al.
Appl. No.	:	09/380,106
Filed	:	November 24, 1999
For	:	PLANT MICROPROPAGATION AND GERMPLASM STORAGE
Examiner	:	Para, Annette H
Group Art Unit	:	1661

AMENDMENT UNDER 37 C.F.R. § 1.312

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This amendment is made to recite the priority under 35 U.S.C. § 119 in the first section of the application. Applicants respectfully request the Examiner to enter the following amendment.

Amendments to the Specification begin on page 2 of this paper.

Remarks/Arguments begin on page 3 of this paper.



TRANSMITTAL

Applicant : Goethals, et al.
 App. No. : 09/380,106
 Filed : November 24, 1999
 For : PLANT
 MICROPROPAGATION AND
 GERMPLASM STORAGE
 Examiner : Para, Annette H.
 Art Unit : 1661

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

March 25, 2004

(Date)

Che Swyden Chereskin, Ph.D., Reg. No. 41,466

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

- Amendment Under 37 C.F.R. § 1.312 in 3 pages.
- Return prepaid postcard.
- Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Che Swyden Chereskin, Ph.D.
 Registration No. 41,466
 Agent of Record
 Customer No. 20,995
 (949) 760-0404

Knobbe Martens Olson & Bear LLP

Intellectual Property Law



2040 Main Street
Fourteenth Floor
Irvine, CA 92614
Tel 949-760-0404
Fax 949-760-9502
www.knobbe.com

Che S. Chereskin
Patent Agent

March 25, 2004

VIA FACSIMILE and U.S. MAIL

Ir. Johan Brants
DE CLERCQ BRANTS & PARTNERS C.V.
Edgard Gevaertdreef 10a
B-9830 Sint-Martens-Latem, BELGIUM

Re: U.S. Patent Application
Title: **PLANT MICROPROPAGATION AND GERMPLASM STORAGE**
Application No.: 09/380,106
Our Reference No.: DECLE2.001APC
Your Reference No.: VIB-03-KG

Dear Johan:

In reviewing the file before payment of the issue fee, we noticed that the Examiner had not acknowledged the priority claim and that the application only listed the PCT application in the first paragraph of the application. We filed an Amendment Under 37 C.F.R. § 1.312 in order to clarify Applicants' intent to claim priority to the two EP applications. This amendment was mailed to the United States Patent and Trademark Office today. Enclosed is a copy for your records.

We will continue to keep you advised as further developments occur. If you have any questions or wish additional information, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Che".

Che Swyden Chereskin, Ph.D.

Enclosure

H:\DOCS\CSC\CSC-6824.DOC

San Diego
619-235-8550

San Francisco
415-954-4114

Los Angeles
310-551-3450

Riverside
909-781-9231

San Luis Obispo
805-547-5580